

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Colak, et al.

Docket No.

64,617-013

Serial No.  
UnassignedFiling Date  
03/30/04Examiner  
UnassignedGroup Art Unit  
UnassignedInvention: **WHEEL POSITIONAL RESTRAINT DEVICE AND METHOD FOR USING THE SAME**

I hereby certify that the following correspondence:

**Information Disclosure Statement with Exhibit A; PTO-1449 (1 page and 24 references cited - 6 foreign prior art patents attached.)***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

03/30/04*(Date)*Mary F. Peltier*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*ER357878235US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Colak, et al.

Serial No.: Unassigned Group Art Unit: Unassigned

Filed: March 30, 2004 Examiner: Unassigned

For: WHEEL POSITIONAL RESTRAINT DEVICE AND METHOD FOR USING SAME

Atty. Dkt. No.: 64,617-013

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Dear Sir/Madam:

Applicant submits this Information Disclosure Statement in accordance with the duty of disclosure under 37 C.F.R. §1.56 and §1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b)(3). Enclosed herewith is a List of References Cited by Applicant (PTO-1449) (2 sheets). Copies of the references have not been included because the references were previously cited by, or submitted to, the Patent and Trademark Office during the prosecution of U.S. Patent Application Serial No. 10/068,387 filed February 6, 2002, from which this application claims priority under 35 U.S.C. § 120.

One or more of the enclosed references is not in the English language. These references were cited by the U.S. Patent Office during the prosecution of U.S. Patent No. 5,328,154 (Application No. 947,220), which has been assigned to the same assignee as the present application. A copy of the Notice of References Cited (attached to Paper No. 2) from Application No. 947,220 was provided as Exhibit A to the Information Disclosure Statement filed in Application Serial No. 10/068,387. In particular, the non-English references cited in Application No. 947,220 are as follows:

<u>Document</u>	<u>Date</u>	<u>Country</u>	<u>Name</u>
80935	8/1951	Czhecoslovakia	Minar
1070420	12/1959	Fed. Rep. Of Germany	Dehm
374571	1/1940	Italy	Quarenghi
355070	7/1961	Switzerland	Dehm

However, upon information and belief the Office only provided English translations for Minar and Dehm (Switzerland). Copies of such translations are attached to these references. Upon information and belief, translations for the remaining documents are not within the possession, custody, or control of, or is not readily available to any individual designated in § 1.56(c).

Inasmuch as each of the remaining references listed on attached Form PTO-1449 is in English, no further commentary by Applicants is believed necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully solicit the Examiner's consideration of the cited references and entry thereof into the record of this application.

Applicants, by submitting this Information Disclosure Statement, are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Information Disclosure Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, is otherwise "material to patentability," as that term is defined in that section.

Respectfully submitted,




---

Adam B. Strauss, Reg. No. 43,167  
DYKEMA GOSSETT PLLC  
39577 Woodward Ave, Suite 300  
Bloomfield Hills, MI 48304-2820  
(248) 203-0764  
ipmail@dykema.com  
Customer No. 26127  
Attorney for Applicants

Dated: March 30, 2004

SERIAL NO.	GROUP/ART UNIT	ATTACHMENT TO PAPER NUMBER
947,220	3203	2

## NOTICE OF REFERENCES CITED

## APPLICANT(S)

*Blatz et al*

## U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	4 5 4 8 3 9 2	10/85	Rickling	269	296	
B	3 1 6 2 9 7 3	12/64	Christiansen	446	128	
C	4 0 2 6 0 8 6	5/77	Langley	446	125	
D	3 4 8 7 5 7 9	1/70	Brettingham	446	128	
E	3 7 5 2 4 4 1	8/73	Royer	259	88	
F	4 1 6 5 8 6 2	8/79	Bennett	254	88	
G	4 8 1 9 9 1 0	4/84	Johnston	254	88	
H	4 4 2 7 1 7 9	1/84	Price	254	88	
I						
J						
K						

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
L	8 0 9 3 5	8/51	Czechoslovakia	Minnah	446	128		
M	1 0 7 0 4 2 0	12/54	Dehm	Dehm	446	128		
N	3 5 5 0 7 0	7/61	Switzerland	Dehm	446	128		
O	3 7 4 5 7 1	1/40	Italy	Vuorenghi	446	128		
P	1 1 9 4 4 4 5	6/70	GB	Kishi	446	128		
Q	2 4 2 9 5 5	7/60	Australia	Jespersen	446	128		

## \* OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
S	
T	
U	

EXAMINER ROBERT C. WATSON	DATE 18/27/73
------------------------------	------------------

\* A copy of this reference is not being furnished with this office action.  
(See Manual of Patent Examining Procedure, section 707.05 (a).)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	Unassigned
Filing Date	03/30/04			First Named Inventor	Colak, et al.
Art Unit	Unassigned			Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	
64,617-013					

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

1

Attorney Docket Number | 64,617-013

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
		US- 3,162,973		12/29/1964	G.K. Christiansen	
		US- 3,487,579		01/06/1970	Brettingen	
		US- 3,752,441		08/14/1973	Rogers	
		US- 4,026,086		05/31/1977	Langley	
		US- 4,050,403		09/1977	Miller	
		US- 4,108,421		08/1978	Extine	
		US- 4,165,862		08/28/1979	Bennett	
		US- 4,427,179		01/24/1984	Price	
		US- 4,548,392		10/22/1985	Rickling	
		US- 4,606,732		08/19/1986	Lyman	
		US- 4,744,780		05/17/1988	Volpe	
		US- 4,819,910		04/11/1989	Johnston	
		US- 4,836,501		06/06/1989	Baer	
		US- 5,328,154		07/12/1994	Blatz, et al.	
		US- 5,483,715		01/1996	Fogarty	
		US- 5,458,315		10/17/1995	Blatz, et al.	
		US- 6,439,543		08/2002	Peckham	
		US- DES 426,933		06/20/2000	Redfern	
		US-				
		US-				

## **FOREIGN PATENT DOCUMENTS**

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.